

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KITRICH A. POWELL,

Petitioner,

v.

WILLIAM REUBART, *et al.*,

Respondents.

Case No. 2:06-cv-01264-KJD-DJA

ORDER

In this capital habeas corpus action, the respondents filed a motion to dismiss (ECF No. 235) on September 14, 2022. Petitioner Kitrich A. Powell, represented by appointed counsel, was due to respond to the motion to dismiss within 60 days—by Monday, November 14, 2022. See Order entered August 24, 2020 (ECF No. 100).

On November 10, 2022, Powell filed a motion for extension of time (ECF No. 237), requesting a 91-day extension, to February 13, 2022, to file his response to the motion to dismiss. Powell's counsel states that the extension of time is necessary because of the complexity of this case, and because of counsel's obligations in other cases and his administrative obligations at the office of the Federal Public Defender. Counsel represents that Respondents do not oppose the motion for extension of time. The Court finds that Powell's motion for extension of time is made in good faith and not solely for the purpose of delay, and there is good cause for the extension of time requested.

Powell's counsel should take note, however: given the length of this extension of time, the Court will not look favorably upon any motion to further extend this deadline.

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1 **IT IS THEREFORE ORDERED** that Petitioner's Motion for Extension of Time (ECF
2 No. 237) is **GRANTED**. Petitioner will have until and including February 13, 2023, to
3 respond to Respondents' motion to dismiss.

4 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
5 proceedings set forth in the order entered August 24, 2020 (ECF No. 100) will remain in
6 effect.

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8 DATED THIS 14 day of November, 2022.

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12 KENT J. DAWSON,
13 UNITED STATES DISTRICT JUDGE
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